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No. 1092.

From the Knickerbocker.

THE POOR LAWYER.

I had taken my breakfast and was waiting for my horse, when passing up and down the piazza, I saw a young girl seated near the window, evidently a visitor. She was very pretty, with auburn hair and blue eyes, and was dressed in white. I had seen nothing of the kind since I had left Richmond, and at that time I was too much of a boy to be struck by female beauty. She was so delicate and dainty looking, so different from the hale, buxom, brown girls of the woods—and then her white dress! This was dazzling! Never was a poor youth so taken by surprise, and suddenly bewitched. My heart yearned to know her, but how was I to accost her? I had grown wild in the woods, and had none of the habits of polite life. Had she been like Peggy Pugh, or Sally Pigham, or any other of my leather-dressed belles of the pigeon roost, I should have approached her without dread; nay, had she been as fair as Shurt's daughters with their looking-glass lockets, I should not have hesitated; but that white dress, and those auburn ringlets and blue eyes, and delicate looks, quite daunted while they fascinated me. I don't know what put it into my head, but I thought all at once I would kiss her! It would take a long acquaintance to arrive at such a boon, but I might seize upon it by sheer robbery. Nobody knew me here. I would just step in and snatch a kiss, mount my horse and ride off. She would not be the worse for it; and that kiss—oh, I should die if I did not get it.

I gave no time for the thought to cool, but entered the house and stepped lightly into the room. She was seated with her back to the door, looking out of the window, and did not hear my approach. I tapped her chair, and she turned and looked up, I snatched as sweet a kiss as ever was stolen, and vanished in a twinkling. The next moment I was on horseback, galloping homeward, my heart tingling at what I had done.

After a variety of amusing adventures, Ringwood attempts the study of the law, in an obscure settlement in Kentucky, where he delved night and day. Ralph pursues his studies, occasionally argues at a debating society, and at length becomes quite a genius, and a favorite in the eyes of the married ladies of the village.

I called to take tea one evening with one of these ladies; when to my surprise and somewhat to my confusion, I found there the identical blue eyed little beauty whom I had so audaciously kissed. I was formally introduced to her, but neither of us betrayed any signs of previous acquaintance, except by blushing to the eyes. While tea was getting ready, the lady of the house went out of the room to give some directions and left us alone. Heaven and earth, what a situation! I would have given all the pitance I was worth, to have been in the deepest dell in the forest. I felt the necessity of saying something in excuse for my former rudeness; I could not conjure up an idea, nor utter a word. Every moment matters were growing worse. I felt at one time tempted to do as I had done when I robbed her of the kiss—bolt from the room, and take to flight; but I was chained to the spot, for I really longed to gain her good will.

At length I plucked up courage, on seeing her equally confused with myself, and walking desperately up to her I exclaimed:

"I have been trying to muster up something to say to you, but I cannot. I feel that I am in a horrible scrape. Do you have pity on me and help me out of it!"

A smile dimpled upon her mouth, and played among the blushes of her cheek. She looked up with a shy, but arch glance of the eye, that expressed a volume of comic recollections; we both broke into a laugh, and from that moment all went on well.

Passing the delightful description that succeeded, we proceed to the denouement of Ringwood's love affair—the marriage and settlement.

That very autumn I was admitted to the bar, and a month afterwards was married. We were a young couple, she not above sixteen, I not quite twenty, and both almost without a dollar in the world. The establishment which we set up was suited to our circumstances, a low house with two small rooms, a bed, a table, a half dozen knives and forks, a half dozen of spoons: every thing by half dozen, a little delf ware, every thing in a small way; we were so poor, but then so happy.

We had not been married many days when a court was held in a county town, about twenty-five miles. It was necessary for me to go there, and put myself in the way of business, but how was I to go? I had expended all my means in our establishment, and then it was hard parting with my wife so soon after marriage. However, go I must. Money must be made, or we should have the wolf at the door. I accordingly borrowed a horse, and borrowed a little cash, and rode off from my door, leaving my wife standing at it, and waving her hand after me. Her last look, so sweet and becoming, went to

my heart. I felt as if I could go through fire and water for her. I arrived at the county town on a cool October evening. The inn was crowded, for the court was to commence on the following day.

I knew no one, and wondered how I, a stranger and a mere youngster, was to make my way in such a crowd and get business. The public room was thronged with all the idlers in the county, who gathered together on such occasions. There was some drinking going forward, with a great noise and a little altercation. Just as I entered the room, I saw a rough bully of a fellow, who was partly intoxicated, strike an old man. He came staggering by me, and elbowed me as he passed. I immediately knocked him down, and kicked him into the street. I needed no better introduction. In a moment I had half a dozen rough shakes of the hand and invitations to drink, and found myself quite a personage in this rough assemblage.

The next morning court opened—I took my seat among the lawyers, but I felt as a mere spectator, not having any idea where business was to come from. In the course of the morning a man was put to the bar, charged with passing counterfeit money, and was asked if he was ready for trial. He answered in the negative. He had been confined in a place where there were no lawyers, and had not had an opportunity of consulting any. He was told to choose counsel from the lawyers present, and be ready for trial on the following day. He looked around the court and selected me. I was thunderstruck! I could not tell why he should make such a choice. I, a beardless youngster, unpracticed at the bar; perfectly unknown. I felt diffident, yet delighted, and could have hugged the rascal.

Before leaving the court, he gave me one hundred dollars in a bag, as a retaining fee. I could scarcely believe my senses, it seemed like a dream. The heaviness of the fee spoke but lightly of the man's innocence—but that was no affair of mine. I was to be advocate, not judge or jury. I followed him to the jail, and learned of him all the particulars in the case; from thence I went to the clerk's office, and took minutes of the indictment. I then examined the law on the subject, and prepared my brief in my room. All this occupied me until midnight, when I went to bed and tried to sleep. It was all in vain. Never in my life was I more wide awake. A host of thoughts and fancies kept rushing into my mind; the shower of gold that had so unexpectedly fallen into my lap, the idea of my poor little wife at home, that I was to astonish with my good fortune. But the awful responsibility I had undertaken, to speak for the first time in a strange court, the expectations the culprit had formed of my talents; all these, and a crowd of similar notions, kept whirling through my mind. I tossed about all night, fearing morning would find me exhausted and incompetent—in a word, the day dawned on me, a miserable fellow.

I got up feverish and nervous. I walked out to breakfast, striving to collect my thoughts, and tranquilize my feelings. It was a bright morning—the air was pure and frosty—I bathed my forehead and my hands in a beautiful running stream, but could not allay the fever heat that raged within. I returned to breakfast, but could not eat. A single cup of coffee formed my repast. It was time to go to court, and I went there with a throbbing heart. I believe if it had not been for the thoughts of my dear little wife in her lonely house, I should have given back to the man his dollars, and relinquished the cause. I took my seat, looking, I am convinced, more like a culprit than the rogue I was to defend.

Colonel—(to Holati Fixico)—Where are the rest of the people sent for?

Holati—They have separated and can not be found! Your troops have scattered them, and they have taken different paths.

Colonel—Know you not that unless they are brought in, these men (pointing to the prisoners) will be hung? (A pause.) The Indians disconsolate, but apparently resigned. If I send you out for the people, will you bring them in, in time to save their lives?

Holati—The people have gone off, and I know not where to look for them—like the frightened deer, they fled at the presence of your troops.

Colonel—Indian can find Indian—if they are not here in ten days, these men will surely die!

Holati—The track of the Indian is crossed, his path is hidden, and cannot be traced in ten runs.

Colonel—(to Talof Hadjo)—Have you a wife?

Talof—My wife and child are out with the people. I wish them here that I may take leave of them before I die.

Colonel—Do you love your wife and child?

Talof—The dog is fond of its kind—I love my own blood.

Colonel—Could you find the people that are out?

Talof—They are scattered and may not be found.

Colonel—Do you desire your freedom?

Talof—I see the people passing to and

dropped dollars in notes, and a horse that I afterwards sold for two hundred dollars more.

Never did a miser gloat more on his money and with more delight. I locked the door of my room, piled the money in a heap upon the table, walked around it, sat with my elbow on the table, and my chin upon my hands, and gazed upon it. Was I thinking of the money? No; I was thinking of my little wife and home.

Another sleepless night ensued, but what a night of golden lucifer and splendid air. As soon as morning dawned, I was up, mounted the borrowed horse with which I had come to court, and led the other which I received as a fee. All the way I was delighting myself with the thoughts of surprise I had in store for my wife; for both of us had expected nothing but that I should spend all the money I had borrowed and return in debt.

"Our meeting was joyous as you may suppose; but I played the part of the Indian hunter, who, when he returns from the chase, never for a time speaks of his success. She had prepared a rustic meal for me, and while it was getting ready, I seated myself at an old fashioned desk in one corner, and began to count over my money and put it away. She came to me before I had finished, and asked me who I had collected the money for.

"For myself, to be sure," replied I with affected coolness; "I made it at court."

She looked at me for a moment in the face incredulously. I tried to keep my countenance and play the Indian, but it would not do. My muscles began to twitch; my feelings all at once gave way, I caught her in my arms, laughed, cried, and danced about the room like a crazy man. From that time forward we never wanted money.

From the Charleston Courier.

A SCENE IN FLORIDA.

I witnessed a scene a few days ago, which, in my humble opinion, puts the story of Damon and Pythias quite in the shade. A party of Indians were recently discovered by some of our troops, who succeeded in capturing three of the warriors; the rest of the party, consisting of three men and several women and children, numbering in all about twenty, fled. The captives were brought to this place, where they were interrogated by the Colonel, during which it was discovered that two of them had been concerned in killing and burning a mail rider, some time in March last. They were told that for this conduct of theirs they would be hung in fifteen days, unless within that time the rest of their people should come in. They were then placed in chains, and were permitted to send out the third man of their party with a talk to bring in the rest of their people, while they themselves were committed to the guard. The man thus sent out returned in five days, bringing with him a warrior by the name of Holati Fixico, and some women and children, among whom were the mother and sister of one of the prisoners, whose name is Talof Hadjo. The scene that followed may be dramatized thus:

Scene, an open court in front of the Commanding Officer's quarters. Indians are discovered seated under the trees, among them Holati Fixico (Pythias), on the grass, in the Indian posture; Talof Hadjo, (Damon) in chains, on a bench, his head resting against the trunk of a tree, and looking towards the heavens, with a countenance expressive of resignation; his mother and sister lying upon the grass, at his feet, the mother weeping at the fate which awaits her son. The Colonel, and other officers, are discovered at a distance from the group of Indians.

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Colonel—(to Talof Hadjo)—Have you a wife?

Talof—My wife and child are out with the people. I wish them here that I may take leave of them before I die.

Colonel—Do you love your wife and child?

Talof—The dog is fond of its kind—I love my own blood.

Colonel—Could you find the people that are out?

Talof—They are scattered and may not be found.

Colonel—Do you desire your freedom?

Talof—I see the people passing to and

from, and wish to be with them—I am tired of my chains.

Colonel—If I release you, will you bring in the people within the time fixed?

Talof—You would not trust me—yet I would try.

Colonel—If Holati Fixico will not consent to take your chains, and be hung in your place, if you should not return, you may go—(a long pause.) Talof continues throughout the scene with his eyes fixed on the heaven; his mother and sister now cast imploring looks to Holati, who, during the last few questions, has struggled to maintain his composure, evincing by the heaving of his breast and his gasps, as though the rope were already round about his neck, that he is ill at ease—all eyes are turned to him—the covers, and with the utmost composure and firmness, replies—

Holati—I have no wife or child, or mother—let more fit he should live than I—I consent to take his chains, and abide his fate—let him go.

Colonel—Be it so—but do not deceive yourselves—on sure as Talof Hadjo bring not in the people within ten days Holati dies the death of a dog!

With the most solemnity the two Indians were then taken to the armory, where the chains were transferred to Holati, and in fifteen minutes after, Talof was on his journey. Yesterday a messenger arrived bringing intelligence that Talof was on his way in, with all his people, and might be expected here to-morrow or next day.

There is more truth than poetry in the foregoing, and what make it more remarkable, when compared with the story of Damon and Pythias, is, that in the one case, a strong and devoted friendship existed between the parties, while in the other there appears no such feeling, but the sacrifice offered by Holati arose from a purely noble and disinterested motive—a desire to save the life of one whom he considered of more consequence than himself. Pythias placed the utmost faith in the promise of his friend to return at the time appointed. This poor Indian had no such assurance in him; on the contrary, he knew well it was barely probable that Talof would return with his people in time to save his life.

RULES FOR READING.

By what rules to be guided in the selection of books—upon what system to regulate a course of profitable reading, which shall not be too onerous nor require more time than your other pursuits will allow—these questions, I have no doubt, of interest to many if not all before me. I offer but a brief sketch of my ideas on this subject, which I hope may not be entirely inappropriate.

We note first the manner of reading.—Read systematically. Your tastes and inclinations, or particular pursuits, will possibly direct your attention to a given subject in preference to others. Examine it systematically. Nothing truly useful and permanent can be acquired without a plan; nor one ever became well informed by accident.

Read slowly. It is not the reading of many books that secures knowledge, and much less wisdom, which is a different thing from knowledge. Some are afraid to admit that they have not read the new publications of the day, but it is a pitiful ambition, that of the omnivorous reader, who wishes to be understood as having read everything, and who to enable him to do so, will not let the appearance of information, skimp through this work and that, or hunt through the reviews and get a second-hand smattering, to secure the praise of being well read.

Read with a fixed effort of attention and thought. "It has been remarked by Haller, that we are deaf while we are yawning; the same act of drowsiness which stretches open our mouths, closes our ears." Read with the resolution to make what you read your own. Several ways of doing this may be suggested. The most important is that just now considered—a habit of fixed attention and thought. Another is, to write as you read, to make an abstract of your author; and slow as this process may appear, its results are sure and invaluable.

Finally, (as to the manner of reading,) read with the purpose of making your selves proficient in some one branch of learning or science. It is well to select a point to be secured, lest the mind be disengaged by the number of books and subjects, and finally (in despite of attaining a high degree of excellence) content itself with listlessly roaming the field, and plucking here and there pretty flowers.

Read with the resolution to make what you read your own blood.

Colonel—Could you find the people that are out?

Talof—They are scattered and may not be found.

Colonel—Do you desire your freedom?

Talof—I see the people passing to and

Debate in the Senate.

SPEECH OF Mr. CLAY, of Kentucky,

ON THE FISCAL CORPORATION BILL.

Thursday, September 2.

The bill to establish a Fiscal Corporation being under consideration, and Mr. Archer and Mr. Buchanan having delivered speeches thereon—

Mr. CLAY, of Kentucky, next addressed the Senate.

Certainly, said he, nothing was further from my expectations,

when I came here to listen to the speech

of my worthy friend from Virginia,

than to find myself placed in such a situation

as to be called on to say one word in relation

to this bill.

But, if the Senator from New Hampshire

(Mr. Woodbury) proposed some

days ago a resolution of inquiry into cer-

tain disturbances which are said to have

occurred at the Presidential mansion on

the night of the memorable 16th of August

last. If any such proceedings did occur,

they were certainly very wrong and highly culpable.

The Chief Magistrate, who ever may be, should be treated by every good citizen with all becoming respect, if not for his personal character,

and to prevent the creation of the monster to which it gives birth. We had expended all our logic, exerted all our ability, employed all our eloquence; but in spite of all our utmost efforts, the friends of your Excellency in the Senate and House of Representatives proved too strong for us. And we have now come most humbly to thank your Excellency that you have accomplished for us that against your friends which we, with our most strenuous exertions, were unable to achieve." [Roars of laughter.]

I hope the Senator will view with indulgence this effort to represent him, although I am but too sensible how far it falls short of the merits of the original. At all events he will feel that there is not a greater error than was committed by the Senator of the Intelligencer the other day, when he put into my mouth a part of the honorable Senator's Speech. [Laughter.] I hope the honorable Senators on the other side of the Chamber will pardon me for having conceived it possible that, amidst the popping of champagne, the intoxication of their joy, the ecstasy of their glorification, they might have been the parties who created a disturbance, of which they never could have been guilty had they waited for their "sober second thoughts." [Laughter, loud and long.] I have no doubt the very learned ex-Secretary of the Treasury, who conducted that department with such distinguished ability, and such happy results to the country, and who now has such a profound abhorrence of all the taxes on tea and coffee, though, in his own official reports, he so distinctly recommended them, would, if appointed chairman of the committee, have conducted the investigation with that industry which so eminently distinguishes him, and would have favored the Senate with a report, marked with all his accustomed precision and ability, and with the most perfect lucid clearness. [A laugh.]

There is one remark of the Senator from Pennsylvania which demands some notice. My friend from Virginia (Mr. Archer) threw out an intimation that very possibly the Senator from Pennsylvania knew more of the sentiments and purposes prevailing at the White House than he did. That Senator, in reply, denied that that was not the case as yet, but said that he hoped and expected it soon might be so. Expected? Expected what? That a President of the United States, elected by the Whig party to a different station, and having arrived at the Presidency under circumstances calculated to call forth his most profound gratitude, should abandon the party which elevated him; should commit as act not less than treason, and join that party of which the Senator is a distinguished member, but to which the President has been diametrically opposed! Could that be what the Senator means? If it was, then I say that the suggestion, the base opposition of such a thing, is in the highest degree injurious to the President. I do not pretend to know what may be his feelings, but sure I am that were I in his situation, and the possibility of such an act of treason were affirmed of me, the reproach would fill my heart to its inmost recesses with horror and loathing. But the Senator chose to assign the reason why he hoped and expected this. It was that the President differed from his party on almost every one of its greatest and leading points of policy. Now I intend for a moment to institute a comparison between the differences of the President from the policy and principles of the Loco-foco party and his alleged differences from the policy and principles of the Whigs. And first and foremost I will place the act of expunging and mutilating the official records of this body. Did the President agree with the Loco-focos in regard to that? Again, on the question of executive power and the extent and increase of Executive patronage, does the President agree with the Whigs or those on the other side? For myself, I do think that, in the impressive words of Mr. Donaghy, "the power of the Executive has increased, is increasing, and ought to be diminished." And then on the one term principle, what are the President's opinions? Does not all the world know? Has he not put them in writing and declared, over and over, that no President ought to serve for more than one term? Has he not seen the effect of the opposite practice in leading a Chief Magistrate so to use his power as to secure his re-election to office? And then in regard to the sub-Treasury, what are the President's opinions on that point? Have gentlemen on the other side made up their opinion? Is there to be an accommodation on this point? No, sir, the hope of it is vain. The soil of Virginia is too pure to produce traitors. Small, indeed, is the number of those who have proved false to their principles and to their party. I know the father of the President, Judge Tyler, of the General Court in Virginia, and a pure patriot or more honest man never breathed the breath of life; and I am one of those who hold to the safety which flows from honest ancestors and the purity of blood.

Gentlemen are exulting over an event which never can and never will happen. No, gentlemen, the President never will disgrace himself, disgracess his blood, disgrace his son, disgrace his country, disgrace his children, by abandoning his party and joining with you. Never, never. If it were equal to the possibilities of human supposition to perpetrate an act like that, I cannot conceive on what principle or for what reason the President could rush upon a deed so monstrous, and desert himself over to infamy so indelible. Nor do I know which would surpass in baseness, the man who could commit such act of treason, or the party who would receive and embrace and adopt one who had thus disgraced himself. No, gentlemen, no; never will the President of the United States be guilty of such a crime, and, if he did commit it, the party has too much regard for the opinions of mankind ever to receive and reward him for the deed. Treason, while in progress, is indeed always agreeable to the party or country to whose benefit it is to instigate; but when it has been perpetrated, what does history tell us? The fate has been of every traitor? And what ought that fate to be? If there is any thing like agreement between John Tyler and the Loco-foco party, it is simply and exclusively on this question of a bank. Or that one point I admit that there is a great and palpable difference of opinion between him and his political friends; but how can it be possibly go over to the other party, from whom he has always differed on every other point? On all other points—the distribution of the proceeds of the public lands, the bankrupt law, public economy and reform—he agrees with us. Gentlemen, chuckle in the confidence he is going to veto this bill. I do not myself think he will. But, even if he does, still I say it is a moral impossibility that there ever can exist so infamous, so unnatural a union, as that between a President who has betrayed one party and the other party directly opposed to him, who must have too much regard to their character and the opinion of mankind to receive and embrace him, if it were possible that he could prove false and faithless to his friends.

I had not the remotest idea when I entered the Senate of saying a word on the present question; but there was a species of unauthorized exultation manifested by the Senator from Pennsylvania which I could not suffer to pass. The gentleman has expressed high hopes, but they are hopes doomed to be disappointed. Fully believing this, and being for myself determined to live and die with the Whig party, I thought it right to say what I have done.

MR. CLAY.

The Whigs of Baltimore, in order to give a due expression to their high sense of the character and services of the Hon. HENRY CLAY, held a meeting for the purpose of making arrangements for his public reception in that city, when on his way to his residence in Kentucky; and appointed a committee to wait upon him with an invitation to a public dinner. To this invitation the following letter of Mr. Clay is a reply.

Washington, 14th September, 1841.

Gentlemen.—In the midst of my preparations for my departure to my home, I have received, by the hands of the gentlemen who have done me the honor to wait upon me, your obliging communication bearing date this day, transmitting a resolution adopted at a public meeting held in Baltimore yesterday, by which it is proposed to distinguish my expected visit to that city by signal public demonstrations. I pray you, gentlemen, and those who constituted that meeting, to accept my grateful and respectful acknowledgments for this new and gratifying proof of attachment and confidence. I should embrace, with pleasure, the opportunity of visiting your city, at this time; but jaded as I am by the arduous labors of the Session of Congress just closed, and sharing with the companions of my journey, an eager anxiety to terminate it, without delay, I regret that I must postpone a visit to your city to some future day.

If, gentlemen, all has not been accomplished at the late Session of Congress that the public interest demanded, more, much more, has been effected than I anticipated at its commencement. If we have been greatly disappointed in the failure of repeated attempts to establish a sound currency, regulate exchanges, and separate the Purse from the Sword, what American Citizen, what Whig will, on that account, surrender himself to the sentiments of an ignoble traitor? Who will not say that we will persevere, with redoubled courage, until every remaining object of the glorious revolution of November last shall be consummated? Shall we be disengaged because one man presumes to set up his individual will against the will of the nation? On the contrary, let us superadd to the previous duties which we lay under to our country, that of plucking from the Constitution this sign of arbitrary power; this dubious and obsolete vestige of royal prerogative. Let us, by a suitable amendment to that instrument, declare that the Vice-President, parent and fruitful source of all our publicills—shall itself be overruled by majorities in the two Houses of Congress. They would persuade us that it is harmless because its office is preventive or conservative! As if a Nation might not be as much injured by the arrest of the enactment of good laws as by the promulgation of bad ones!

I am, gentlemen, greatly deceived, notwithstanding the astounding developments recently made, if the Whig cause is not stronger than ever it was. Rousing, as it does, upon truth, sound policy, and enlightened patriotism, its votaries must be false and faithless, if it does not gloriously triumph notwithstanding any temporary disappointment.

Accept, Gentlemen, assurances of the high regard of esteem of

Yours, &c. &c.
H. CLAY.

From the Baltimore American.

THE NEW CABINET.

The opinions and character of the men whom President Tyler has called around him as advisers have become the subject of universal inquiry and interest. We give such facts with regard to each as are fresh in our memory.

WALTER FORWARD, Secretary of the Treasury.—Mr. Forward is a citizen of Pittsburgh, Pennsylvania. Our first knowledge of him was as a Democratic member of Congress from his District in 1824, and an ardent champion of the American System. He voted in the Caucus nomination of Mr. Crawford for President, but afterward recanted, when the Jackson whirlwind swept over Pennsylvania, and went with the current. He abandoned Gen. Jackson when it became evident that he was identified with the enemies of the Protection of Home Industry. He has since been mainly out of public life, but known as a National Republican or Clay Whig, in contradistinction from the Anti-Masons, who beat him away in his section. In 1830 he was chosen a member of the Constitutional Convention of Pennsylvania, and distinguished himself in the deliberations of that body, of which we think he was President. But he has not for many years been active in politics till last season, when he took the stump for Garrison and Tyler in Western Pennsylvania with great efficiency. His high personal character and reputation for independence gave him great weight. When Gen. Garrison became President, he made Mr. F. Marshall for Western Pennsylvania, which he declined, then First Comptroller of the Treasury, which he accepted, and has since discharged the duties of that office. He is well qualified for the station to which he has been called.

ANAT P. UPSHUR, Secretary of the Navy.—Judge Upshur is a citizen of Northampton county, in Mr. Wise's District. He has been a Delegate in the Legislature, and distinguished himself in the Convention of 1828 which formed the present Constitution of Virginia. We do not remember that he has been in Congress.

He is an able and pure man, but an ultra "State Rights" man—in short, a Nullifier. He is now, we believe, a Justice of the High Court of Appeals of Virginia.

An Abstractionist of the narrowest faith, he has little or no sympathy with the mass of the Whig party. Mr. Upshur is an intimate personal friend of Mr. Tyler of long standing, and has been the Warwick of the New Cabinet.

HOR. S. LEGARE, Attorney General.—Mr. Legare is a citizen of Charleston, S. C., and we believe a descendant of one of the old French Huguenot families which settled there over a century ago.

He became eminent by his writings in the "Southern Review," a Quarterly published in Charleston some years since.

He was appointed Charge to Belgium, by Gen. Jackson, being a warm "Union" man, as opposed to Nullification. He returned to Charleston in 1836-7, and was soon after proposed for Congress and elected, turning out Hon. H. L. Pineyway (Nullifier) on a medley of political and local issues. Mr. L. went to Congress in 1837 as an Administration man, but, on the Sub-Treasury being proposed by Mr. Van Buren, he took ground against it in a profound and masterly speech, as also in a powerful "Letter to a Constituent." For his course he was thrown out of Congress at the next election—Charleston being the strongest Sub-Treasury city in the Union—but he abandoned nothing of his warfare upon the Sub-Treasury project, speaking luminously at our Conservative State Convention last October, and repeatedly in this city and elsewhere. He recently contributed several masterly articles on classical literature to the New-York Review.

From the New York Weekly Tribune.

Gen. Cass and the Presidency.—The Philadelphia Sentinel of Friday contains a letter from Gen. Cass to the Committee of a political meeting at which he had been named as a candidate for the Presidency.

Gen. Cass expresses himself as indis-

posed to occupy the position to which he is thus invited. He would prefer not to be a candidate. He does not desire to be President of the United States, and "trusts most sincerely that no circumstance may occur to call him to fill that distinguished station."

"I have been," he says, "sufficiently near the depositories of high power, both at home and abroad, to know that its exercise brings with it many troubles and few consolations."

The letter expresses many excellent sentiments con-

cerning the propriety of moderation in

politics—repudiates ultra measures, and

declares the belief that both political

parties may be in the main equally ho-

nest and strongly solicitous for the best

interests of the country.

With regard to bringing a candidate, how-

ever, the substance of the whole matter

comes towards the conclusion of the letter.

The General says:

"My conviction is, that there is nothing

in my present position, nothing in my

past career, which should lead to my selec-

tion, for such a mark of confidence.

My repugnance to the measure is great,

almost invincible. And there is but one

state of things, a state of things as little to be

expected as desired, which could induce

me to yield to the sacrifice I should

be called upon to make, and that is, the

general acknowledged opinion of the

Republican party, that the use of my

name might be necessary upon this occa-

sion, and my nomination, agreeably to the

established usage of the party, by a ge-

neral Convention. In such an event,

though I should yield with reluctance, still

I should yield; and although my farther

residence abroad will probably under any circumstances be but short, yet were it otherwise, upon the occurrence of such an event, I should consider it my duty to return without delay. Not to take the slightest part in the election, far be such a course from me, but because propriety

would forbid me to hold an office under these circumstances, and because every American, whom the confidence of any considerable portion of his fellow citizens might designate for that high station, ought to meet the trial he must undergo in his own country. But when I look to the many able and tried men, whom our party includes in its ranks, I consider such a result scarcely within the limits of possibility.

THE TERROR OF PESTILENCE.

One circumstance, among the many touching character, which attend the presence of a mortal epidemic in a city, is thus referred to in the New Orleans Picayune of the 12th instant.

The Unattended Hearse.—Among the many scenes to be now daily witnessed in this city, which excite our sympathy, awaken our commiseration, or enliven our pity, an unattended hearse, as it bears its little burden to the grave, calls up most quickly, from the reverses of the heart, thoughts shrouded in sorrow, feelings robed in regret.

When we see that one-horse sanguine vehicle driven by, when we observe the indifference with which the black driver hurries along to the grave-yard with his pulseless passenger, when we behold no soul following after, to perform the last sad rites o'er departed friendship, or to place even the most simple mark of recognition over the deceased's grave, we feel that the inhabitants of that rough unornamented coffin died a desolate stranger!

But we know not how he lived—whether his journey, even from the cradle to the grave, was one continued pilgrimage of privation—which he was once the inheritor of wealth, the possessor of consequence, surrounded by butterfly friends, who deserted him when the summer of his prosperity passed away—or whether some loving wife, affectionate mother, or kind-hearted sister, is not anticipating his return to a home long deserted, to friends long estranged, at the very time when his dust is being committed to dust, by a strange hand, in the swamps of New Orleans!

We never see an unattended funeral but we feel that we float through life on the ocean of uncertainty ourselves; and at such a time we pray Heaven to avert from us a death so disastrous—a grave so gloomy; we pray, if it should not be垂危, to die among our kindred, that we may at least be permitted to breathe our last where we are known—among our friends.

The following extract from the New Orleans Bee of the 16th instant, furnishes an appalling account of the progress of the yellow fever in that city.

It has been our fortune to reside in New Orleans for the last ten years. During this period we have often witnessed the ravages of the fatal epidemic to which our city is unfortunately subject; but we have rarely, if ever, beheld such frightful desolation as its visitation has this season occasioned. In mortality and malignity, in the suddenness of its attack and in indiscriminate ruthlessness with which it prostrates all classes of the non-resident population; in the appalling rapidity with which it has extended from hospital into private practice; it has rarely ever been exceeded. The heart is absolutely sickened, and humanity shudders at the scenes of misery and affliction which this awful scourge has this year produced.

The brightest, purest and best have fallen victims to the pestilence. It has struck down many of our most estimable and beloved citizens. Its fury hath fallen on hundreds whom protracted residence and long exemption had appeared to guarantee from its attacks. Men who had passed four, five, or half a dozen consecutive summers in New Orleans, and had escaped unscathed from the visitations of former epidemics, have now sunk beneath its irresistible power.

It seems to spare none, save natives of Louisiana, and residents

who have already passed through its terrible ordeal."

THE CASE OF MCLEOD.

Editorial Correspondence of the Tribune.

Utica, Monday, Sept. 27.

The Circuit Court for the Fifth Circuit of this State was to day opened in the Court House—Justice Gridley of this city presiding, in the absence of Chief Justice Nelson, detained at home (Coopers-town) by protracted indisposition. It was intimated some days since that the Chief Justice might not feel able to attend this Circuit, and that Judge Gridley would not undertake the trial at once, as, not excepting to try it, he had not prepared himself, and wished time to consult authorities on the important points of international as well as criminal law certain to arise.

Three Judges of the County Court appeared on the bench with Judge Gridley. The Court House was crowded, in good part, with witnesses and persons strongly interested in the trial.

The usual formalities of opening a term of Court, swearing in the Jurors, enjoined, &c. having been completed, the first case called was that of *The People of the State of New York vs. Alexander McLeod*, indicted for the Willful Murder of Amos Durfee, at Fort Schlosser, in the county of Niagara, in December, 1837.

Mr. Willis Hall, Attorney General, responded on behalf of the People. He handed to the Court a list of witnesses summoned on behalf of the People, which

was called over by the clerk. A portion only answered to their names.

The Court inquired when the case would be ready for trial. The Attorney General replied that the case on behalf of the People was ready now. He moved that the trial proceed.

Mr. J. A. Spencer, of Counsel for the prisoner, submitted his reasons for opposing the motion. His associates (Judge Gardner of Rochester and Mr. Bradley of Lockport,) were both still absent in Canada collecting testimony. He expected their return daily, but was not ready to proceed without them. Unexpected difficulties had been encountered in the obtaining of testimony. The witnesses had since 1837 become scattered over all British North America, from Lake St. Clair in the Gulf of St. Lawrence. Many of them had been found and their testimony taken, (of which three large packages were produced in Court;) but others whose evidence was important had not yet responded. He could not feel justified in going to trial in this state of the case, and he moved that the trial be adjourned for Monday next, (October 4th,) which was the earliest day that he could feel certain of being ready.

Mr. Hall felt bound to oppose so long a postponement. He would do nothing to deprive the prisoner of a fair trial; but ample time had been allowed for preparation. The opposing counsel were well aware that the trial came on at this time; while a great number of witnesses for the People had been at much expense, summoned a great distance from their homes, and were now in attendance. They could not be detained here a whole week beyond the time necessarily employed in the trial but at great inconvenience and hardship to them.

Judge Gridley reserved the question for the present, but with the right to the Attorney General to renew his motion on a later day of this week, should he think proper to do so. He then made a brief and appropriate address to the jurors, reminding them of the great responsibility resting on them, of their sworn duty to avoid all grounds of bias or prejudice on the question which a portion of them would be called to decide, to repeat all attempts to influence them by rumors and indirect approaches as well as otherwise. He directed them, should any attempt be made so to approach one or more of them, to give information to the Court, by whom the offence would be promptly dealt with.

The case was then dropped, and the Court proceeded to the trial of civil causes.

I have already heard enough to convince me that there will be some hard swearing and most amazing contradictions of evidence on this trial. It will be a worn point blank by persons who profess to have been engaged in the attack on the Caroline, not only that this veritable Alexander McLeod was actively engaged in that enterprise, but that he ordered a man to fire the gun from the soldier's hands, and shot Durfee dead! This is but an item; and the evidence will be equally positive and particular on the other side.

We do not doubt there will be awfully hard swearing—but rigorous cross examination cannot fail, we apprehend, to expose it; and justice will not, we trust, be slow to punish it.

The following extract from the New York Express makes the following observations:

The above Proclamation appears, we are sorry to say, not without good and sufficient cause. Information has come to the knowledge of

From the Clergyman.
THE EARLY DEAD.
ADDRESSED TO A BROTHER IN AFFICTION.

Oro supplex et acutus
Cor contritum, quiescens
Genua curant mei finis

There's a sound of mourning, brother,
Where sweet peace was wont to reign;
One was called, and then another—
Death came once, and came again:
Soil, in the dreamless slumber
Of the quiet grave, they fell;
Darkly, with the countless number
Of the silent dead, they dwelt.
We have sorrow'd with thee, brother,
For the loved, the lost, the dead;
It is well; we could not smother
Grief so pure, so hallowed;
It is good to weep, when sadness
Brings us our most precious balm;

Grief resign'd, and tearful gladness,

Hope amidst mourning, bright and calm.

They are gone to heaven, brother;

Christian father, dry your tears;

They were Christ's, O Christian mother!

Christ's alone from earliest years—

His by word and sign baptismal,

His by grace is baptism given,

From earth's deserts, cold and dismal,

He has taken them to heaven.

In the verdant spring time, brother,

In the holy weeks of Lent,

To one bright one, and another;

Was the Saviour's summon's sent.

From the sunshine and the flowers,

From the vigil fast and prayer,

They are gone to joyful bowers,

Free, for eye, from sin and care.

We shall meet them there, my brother;

Christian father, dry your tears;

They were Christ's, O Christian mother!

Christ's alone from earliest years.

To the father—land above us,

He has call'd them—weep no more;

Think ye that our children love us?

Less because their pains are o'er?

Easter Even, 1841.

B.

From the London Christian Guardian.

Effects of Faithful Reproof.

In the autumn of 1829, I met with an accident of so serious a nature, that had not surgical assistance been rendered almost instantaneously, I should not have lived an hour. This happened on a Sabbath morning. When the necessary operation had been performed, and I was able to speak, my first exclamation was, "Doctor, I thought I was off!"—which I accompanied with an oath.

The worthy surgeon, who was a very young man, replied, "You were indeed nearly off this world's stage; but may I not take the liberty of asking you, were you prepared to meet that great Being whose name you so lightly treated?"

I cannot express the confusion I felt at this moment of reproof, any more than the astonishment it occasioned. I confessed that I feared that I was not in a state to meet my Maker in judgment.

"Pardon my observation, sir," said he; "you may perhaps think that I am stepping out of my province, in interposing in spiritual matters; but, sir, I should consider myself an unworthy member of the mystical body of our Lord Jesus Christ, if I suffered you, or any one I may be called upon to attend, to imagine that I felt any thing short of deep sorrow when I bear the name of my Maker irreverently treated."

I apologized for my unbecoming levity, assuring him that I used the expression most unthinkingly, and with no intention of disrespect to my Creator.

"Bless me, my dear sir," he replied, "I do not accuse you of any intentional disrespect to your Creator, much less to me; but allow me to observe, that I should have thought that the most natural sentiment of your heart would have been, to have returned your sincere thanks to God for your preservation; for no man was ever nearer to death, than did I die. I was merely the instrument of rescuing you from so sudden an end—the success of my endeavors belonged to God; and to him are your praises and thanksgivings due. May I request you to consider seriously the events of the last hour? Think that in that short period of time, you were perfectly well, and on the verge of eternity, and again restored; think what might have been your fate, had it pleased the great Disposer of events to have called you into his presence. I will say no more at present, as I am sure, when you reflect on these matters, you will not wonder at my rebuke."

Lady Blessington visited the Lunatic Asylum at Aversa, near Naples, and she gives some striking sketches of the inmates. The following account of a religious maniac cannot be read without exciting a melancholy interest.

I turned away, in pause at the open cell of a Priest, who was prostrate before a wooden cross of his own manufacture. The crown of his head was shorn, but long locks of snowy hair fell from the sides of it, and mingled with his beard of the same venerable color, which reached to the cord that confined his robe round the waist. His face was pale as death; his eyes, which were raised to the cross, were filled with tears, which flowed back down his attenuated cheeks. He was not conscious; that pugnacious persons were around him, and he prayed with a fervor truly edifying; the words of the psalm breathing the very

soul of piety, Christian resignation, and adoration of the Deity. Never was a more touching picture presented to me. I could have fancied it the original of one of those fine pictures of Correggio or Rembrandt, but the deep intonations of his voice, and the fervent devotion which it expressed, gave a sublimity to this living picture, that no painting ever possessed.

The Superintendent told us that for twenty years this Priest had not ceased to pray with a similar fervor to that which we witnessed, during all the hours of the day, save when he hastily swallowed some bread and water, the only food he would touch. Sleep never stole on him till he was exhausted by abstinence and fatigue; but even in sleep he continued to ejaculate prayers, mingled with sighs and groans.

In the times of the primitive Christians, this man would have been deemed a model of holiness, and after death would have been canonized as a saint. A deep and never-ceasing sense of self-unworthiness, a mortified spirit, and all-engrossing adoration of the Creator, were so far from being then considered as proofs of an aberration of reason, that they were regarded as the most convincing ones of a more than ordinary possession of it. Yet these are the only symptoms of insanity attributed to this priest; and from them, in our days of civilization and mundane occupation, he is declared to be insane. The earnestness of his prayers, his total abstinence from worldly concerns, and his life of sanctity in the midst of the herd of maniacs with whom he was surrounded, with, but not of them, reminded me of some pure stream, gliding through a turbulent river, without mingling its clear water with the turbid waves."

Strange Illusions.—In 1834, Maria Pau was admitted into the hospital at Bordeaux, her left hand and arm covered with deep and bleeding gashes, its tendons projecting, and the bones broken! She had, in her sleep, gone into a loft to cut wood with a hewing bill. Thinking she was cutting the wood, she had hacked her forearm and hand, until she fainted away, and fell bathed in her blood. She had felt no pain, but merely had a sensation as if the parts were pricked with pins. From Marcus Donatus we read the following case of still more melancholy interest:

Vicentius believed himself too large to pass one of his doorways. To dispel this illusion, it was resolved by his physician that he should be dragged through this aperture by force. This erroneous dictate was obeyed; but as he was forced along Vicentius screamed out in agony, that his limbs were fractured, and the flesh torn from the bones. In this dreadful delusion, with terrific imprecations against his murderers, he died.

Dendy's Philosophy of Mystery.

Female Resolution.—A remarkable instance of female resolution has recently been reported in Spain. All the world over the sex are alike, and not easily swerved from their determination. It is said that a Justice of the peace while proceeding to put the seals on the goods of a deceased lady as a protection to the interests of an only daughter, said to be insane, that his limbs were fractured, and the flesh torn from the bones. In this dreadful delusion, with terrific imprecations against his murderers, he died.

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